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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,838

10/30/2003

Joel Neri

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7201

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03/08/2005

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
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EXAMINER

GHATT, DAVE A

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/695,838

**Applicant(s)**

NERI, JOEL

**Examiner**

Dave A. Ghatt

**Art Unit**

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 11-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☒ Claim(s) 4,9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/05/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Claims 11-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on December 13, 2004.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by German (US 5,433,539). As illustrated in Figures 1, 2, and 6, German teaches an ink film supply system including a system for supporting film. Figure 1 of German teaches a first device 22 having a first end 60 and a second end (58, as shown in Figure 6), each of the ends having a diameter. Figure 1 of German also teaches a second device 24 for rotatably receiving the film from the first device 22, the second device 24 having a first end 58 and a second end (60, as shown in Figure), and wherein each of the ends of said second device 24 has a diameter. As shown in Figures 1 and 6, German teaches the diameter of said first end 58 of said second device 24 is essentially the same as said diameter of said second end 58 of said first device 22, and the diameter of said

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second end 60 of the second device 24 is essentially the same as the diameter of said first end 60 of said first device 22.

With respect to claim 2, German teaches the diameter of said first end 58 of said second device 24 is greater than the diameter of the second end 60 of said second device 58.

With respect to claim 3, Figure 1 of German teaches the system further comprising a cylindrical brake portion (shown generally at 72) for frictionally contacting a brake gear 74 to resist rotation of said first device 22. See also column 4 lines 58-60.

With respect to claim 5, Figure 1 of German teaches an ink film supply system comprising, a supply core 22 having a first cylindrical end 60 and a second cylindrical end (58 as shown in Figure 6), each of the ends having an exterior diameter, and wherein the exterior diameter of the second cylindrical end 58 is greater than said exterior diameter of the first cylindrical end 60. Figure 1 of German also shows a take-up core 24 for taking up ink film from the supply core 22, the take-up core having a first end 58 and a second end 60, and wherein each of the ends of the take-up core 24 has an exterior diameter, and wherein the exterior diameter of said first end 58 of said take-up core 24 is essentially the same as the exterior diameter of the second end 58 of said supply core 22. German also teaches the exterior diameter of the second end 60 of the take-up core 24 is essentially the same as the exterior diameter of said first end 60 of said supply core 22.

With respect to claim 6, Figure 1 of German illustrates a molded brake portion 72 for frictionally contacting a brake gear 74.

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With respect to claim 7, insofar as structure is defined German teaches the claimed invention. As shown in Figure 6, the brake portion 72 is located between a main portion (shown generally at 66) and the first end of the supply core 60.

With respect to claim 8, Figure 2 of German shows the take-up core 24 having a molded gear 103 for meshing with a drive gear 102, such that the rotation of the drive gear causes the take-up core 24 to take up the ink film from the supply core 22.

#### ***Allowable Subject Matter***

4. Claims 4, 9, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 4 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein the brake portion is located adjacent to the first end of the first device.

Claim 9 is indicated as having allowable subject matter because the prior art of record does not teach or render obvious the total combination claimed, wherein the second end of the take-up core is located between the molded gear and a main portion of the take-up core.

#### ***Conclusion***

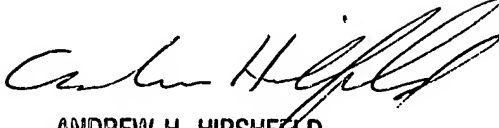
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG

  
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